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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,243	11/18/2003	Mark N. Heflin	991316	4994

7590 04/04/2006

United States Army Legal Services Agency
Suite 527
901 North Stuart Street
Arlington, VA 22203-1837

EXAMINER

DINH, TIEN QUANG

ART UNIT	PAPER NUMBER
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3644

DATE MAILED: 04/04/2006

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/715,243
Filing Date: November 18, 2003
Appellant(s): HEFLIN ET AL.

Alan P. Klein
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 1/17/06 appealing from the Office action mailed 6/6/05.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Underwood et al in view of Kenzie and Tillman.

(10) Response to Argument

In response to applicant's arguments that Underwood in view of Kenzie and Tillman does not anticipated what has been claimed, the examiner would like to point out Underwood teaches knife 64 that is actuated by control element 62 to cut the extraction line of the parachute in case of an emergency is well known. The lines are cut by the use of an electronic device. Underwood lacks the use of an alternative actuator that has a spring to bias the cutter toward the extraction line and the means for restricting the cutter from engaging and severing the extraction line. Kenzie teaches spring means 60 that biases the cutter toward the extraction line. The means for mechanically restricting the cutter from engaging the extraction line can be shear pin 50, balls 80, or timing mechanism with firing pin 126 shown in figures 2 and 5. Hence, Kenzie teaches what has been claimed. Tillman is used to show that radio signals are well known. Taken all of this together, it is reasonable to say that it would have been obvious to one skilled in the art at the time the invention was made to have used a remotely controlled cutter system that is spring biased to cut the extraction line and means to restrict the cutter from cutting the extraction

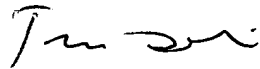
Art Unit: 3644

line in place of Underwood et al's system as taught by Kenzie and Tillman as a substitution of parts. The references disclosed what has been claimed.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

T. Dinh



Conferees:

PP PP

JWE JWF